



FILED & JUDGMENT ENTERED  
Steven T. Salata

December 29 2016

Clerk, U.S. Bankruptcy Court  
Western District of North Carolina



George R. Hodges  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH CAROLINA

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In re )  
 )  
EARL WILBORN GRANT, ) CHAPTER 13  
CAROLYN MARIE GRANT, )  
Debtors. ) CASE NO. 14-10681  
 )  
 )  
U.S. BANK NATIONAL ASSOCIATION) )  
 )  
Movant, )  
 )  
v. )  
 )  
EARL WILBORN GRANT, )  
CAROLYN MARIE GRANT, )  
Debtors/Respondents.) )  
 )

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ORDER GRANTING MOTION OF U.S. BANK NATIONAL ASSOCIATION FOR  
RELIEF FROM THE AUTOMATIC STAY AND ABANDONMENT

This matter came before the Court upon the December 20, 2016, hearing on U.S. Bank National Association's Motion for Relief. The Movant has shown:

1. That the Movant has a perfected, first position security interest on the certificate of title to the property.
2. That the debtor has failed to pay Movant monthly payments as those payments become due under a Retail Installment Sale Contract for the property.
3. That there is a lack of adequate protection of an

interest in property of the party in interest.

4. That the debtor does not have an equity interest in the property.
5. That the debtor has not claimed an exemption in the property.
6. That the property is not necessary to an effective reorganization.
7. That proper notice has been given to the appropriate parties.
8. That the time for objection to this Motion has expired and no objections have been made.

For the stated reasons and cause shown:

**ORDERED:**

1. The Motion is granted.
2. The automatic stay arising under 11 U.S.C. §§ 362 is terminated as to the Movant's interest in the following property:

**2011 Ford F150, VIN 1FTFW1ET6BFC34421**
3. The automatic stay is terminated for the sole purpose of allowing Movant to complete, in rem relief, to take any and all steps necessary to exercise any and all rights it may have in the collateral, to gain possession of said collateral, to have such other and further in rem relief as is just, but the Movant shall not obtain in personam relief against the Debtor.
4. The automatic stay is absolute.

5. The Movant's request to waive the 14-day stay period pursuant to Bankruptcy Rule 4001 is granted.
6. The creditor has 120 days to file a deficiency claim from the time the subject property is removed from the protection of the stay; however, for good cause shown an extension of time to file a deficiency claim may be granted by the Court so long as a motion is made within the applicable deficiency filing period.

This Order has been  
signed electronically.  
The judge's signature and  
court's seal appear at  
the top of the Order.

U.S. Bankruptcy Court